

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PETER BISTRIAN,

Plaintiff,

v.

**WARDEN TROY LEVI, FDC
PHILADELPHIA, et al.,**

Defendants.

CIVIL ACTION NO. 08-3010

ORDER

AND NOW, this 25th day of March 2022, upon consideration of Plaintiff's Motion for Sanctions Against the Government for Failing to Produce FBI Records Concerning Northington Attack [Doc. No. 495] and the related briefing, it is hereby **ORDERED** that, as further outlined in the accompanying Memorandum Opinion, the motion is **GRANTED in part** and **DENIED in part** as follows:

1. Plaintiff's motion for the United States to pay attorneys' fees and costs in connection with Plaintiff's Motion to Compel United States to Review FBI Documents and to Produce Relevant Documents [Doc. Nos. 465, 477] is **GRANTED**.
2. Plaintiff's motion for the United States to pay attorneys' fees and costs in connection with Plaintiff's Motion for New Trial as to James Gibbs [Doc. Nos. 462, 481] is **GRANTED** with respect to Plaintiff's reply brief costs and **DENIED** with respect to Plaintiff's motion costs.
3. Plaintiff's motion for the United States to pay attorneys' fees and costs in connection with Plaintiff's Motion for Sanctions Against the Government for Failing to Produce FBI Records Concerning Northington Attack [Doc. No. 495] is **GRANTED**.

4. Plaintiff's motion for the United States to pay attorneys' fees and costs in connection with the depositions of Officer Kehinde Akano, Officer William Jezior, and Special Agent Heaney taken pursuant to the February 5, 2021 Memorandum Opinion and Order [Doc. Nos. 490, 491] is **GRANTED in part** and **DENIED in part**. The motion is granted with respect to Officer Jezior's deposition costs only.
5. Plaintiff's motion for the United States to pay attorneys' fees and costs in connection with the deposition of James Gibbs, the trial testimony of James Gibbs, and Plaintiff's Motion for Judgment as a Matter of Law against Defendant James Gibbs [Doc. Nos. 385, 431, 437] is **DENIED**.
6. No later than **April 8, 2022**, Plaintiff shall submit to the Court an accounting of Plaintiff's legal fees and other expenses encompassed by the sanctions the Court has granted. The Court defers ruling on the specific amount of monetary sanctions until the submission of such information. The United States may file a response to Plaintiff's accounting no later than 7 days after it is filed.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.